

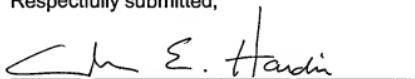
## REMARKS

Claims 1-21 and 24-33 are pending in the application, of which claims 8-13, 15-17, 19-20 and 26-28 are withdrawn from consideration. Claims 1-7, 14, 18, 21, 24, 25, 29, and 31-33 are subject to restriction and/or election requirement. The claims have been restricted under 35 U.S.C. § 121 to patentably distinct species. The Examiner states that claims 1-7, 14, 18, 21, 24-25, 29, and 31-33 are generic to the species.

Applicants provisionally elect, with traverse, the species for DNA encoding SEQ. ID NO: 2 with E222G mutation further comprising V11I, F64L, K101E and T206A. As requested by the Examiner, the amino acid composition of the elected species in claim 3 is accordingly SEQ ID NO: 12. Applicants respectfully submit that a search for a fluorescent protein substantially similar to the wild-type *Aequorea coerulescens* fluorescent protein of SEQ ID NO: 2 with substitutions at 222 and/or 220 and/or 148 would yield all of the species identified, and thus would not amount to an undue burden on the Examiner. Claims readable on the elected species include claims 1-7, 11 (improperly identified as withdrawn in the present office action), 14, 18, 21, 24-25, 29, and 31-33. Therefore, Applicants respectfully request withdrawal of the restriction requirement.

Having addressed all issues set out in the office action, Applicants respectfully request prosecution of the pending claims.

Respectfully submitted,



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